

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

KWASI KIRTON,

Defendant.

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ORDER

20-CR-322 (PMH)

At a status conference held on April 13, 2021, the Court heard oral argument from counsel on defendant's pending motion to suppress and for other miscellaneous relief (Doc. 34), defendant's motion to inspect Grand Jury minutes and to dismiss the indictment (Doc. 46), and the Government's opposition thereto (Docs. 41, 47). For the reasons discussed on the record, the Court issued the following rulings:

The branch of defendant's motion seeking to suppress certain statements of the defendant and for an evidentiary hearing in connection therewith is WITHDRAWN by defendant, in light of the Court's ORDER, on consent of the Government, that the Government will not seek to introduce any statements taken of the defendant from the date of his arrest, May 15, 2020, through the date of his initial appearance before Chief Magistrate Judge Paul E. Davison, May 18, 2020.

The Court GRANTS in part the branch of defendant's motion seeking the Government's disclosure of any evidence it intends to introduce of other crimes, wrongs, or acts, pursuant to Fed. R. Evid. 404(b), and ORDERS that such disclosure be made three weeks prior to the start of trial, and defendant preserves his right to move *in limine* concerning those disclosures.

The Court reserves decision on the branch of defendant's motion seeking to suppress certain identification evidence and for an evidentiary hearing in connection therewith.

With respect to defendant's motion to inspect Grand Jury minutes, the Court reserves decision and directs the parties to file any supplemental authority concerning the defendant's position, as discussed on the record, by April 16, 2021.

SO-ORDERED:

Dated: White Plains, New York
April 14, 2021

A handwritten signature in black ink, appearing to read 'PHM', is written above a horizontal line.

Philip M. Halpern
United States District Judge